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10/675,028	09/30/2003	Sachin G. Deshpande	SLA1384	5440
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MADSON & AUSTIN 15 WEST SOUTH TEMPLE SUITE 900 SALT LAKE CITY, UT 84101			EXAMINER	
			MENDOZA JR, JORGE	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/675,028

Applicant(s)

DESHPANDE, SACHIN G.

Examiner

Jorge Mendoza

Art Unit

4126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09/30/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SI/02)
Paper No(s)/Mail Date 01/05/2004
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims **1-49** are presented for Examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims **1 - 5, 7, 9, 10, 15-25, 27, 29, 30, 35 - 43, & 47 - 49** rejected under 35 U.S.C. 102(b) as being anticipated by **Boreczky et al. (US PGPub 2002/0075572)**.

With respect to Claim **1**, the claimed "receiving the video as it is streamed from a server over a computer network" is met by Boreczky et al. that teach the transmittal, **315**, of video from a server, **300**, to a video player, **320**, via a computer network, such as the Internet (Fig. 3; paragraphs [0009], [0022], [0025]).

The claimed "receiving a first user request to display a first navigation video strip on a display device, wherein the first navigation strip comprises a first plurality of video frames from a video" is met by Boreczky et al. that teach a user request, **325**, being sent to a server, **300**, by way of a second connection, **305**, for the transmittal of video frames (keyframes) to be used for video indexing, that will be displayed on the display device, **330** (Fig.3, 4; paragraphs [0026], [0028], [0030]).

The claimed "in response to the first user request, obtaining first instructions for displaying the first navigation video strip; and displaying the first navigation video strip on the display device in accordance with the first instructions" is met by Boreczky et al. that teach user request, **325**, being sent to a video player, **320**, whereby instructions containing the amount of the video to be indexed are sent to the server, **300**, and video keyframes are sent to the video player, **320**, along with criteria (number of frames, amount of data, amount of time) to be displayed, **330**, via a second connection, **310** (Fig.3 & 6; paragraphs [0026], [0030], [0041]).

With respect to Claim **2**, the claimed "wherein obtaining the first instructions comprises generating the first instructions" is met by Boreczky et al. that teach a server, **600**, generating instructions as to the what specific video frames are to be supplied to the video player, **630** (Fig. 1 & 6; paragraphs [0040], [0041]).

With respect to Claim **3**, the claimed "whereby obtaining the first instructions comprises transmitting a first client request to the server to generate the first instructions" is met by Boreczky et al. that teach a channel, **605**, being used to send user requests to a server, **600** (Fig. 1 & 6; paragraphs [0041]).

With respect to Claim **4**, the claimed "wherein obtaining the first instructions further comprises receiving the first instructions from the server" is met by Boreczky et al. that teach a server, **600**, transmitting forward-looking data via low resolution channels, **610_n**, including instructions pertaining to the video index to be displayed (Fig. 1 & 6, paragraphs [0038], [0041]).

With respect to Claim **5**, the claimed “wherein obtaining the first instructions further comprises receiving a reference to the first instructions from the server” is met by Boreczky et al. for the same reasons at those discussed above for Claim 4.

With respect to Claim **7**, the claimed “wherein displaying the first navigation video strip comprises retrieving the first plurality of video frames from the server” is met by Boreczky et al. that teach the use of a low resolution server, **901**, in supplying the snapshots that are to be used in a video index (Fig. 9 & paragraph [0043]).

With respect to Claim **9**, the claimed “further comprising supporting user interaction with the first navigation video strip” is met by Boreczky et al. that teach the video controls, **410**, for the navigation of a video, **400**, as well as for the video strip, **1440**, **1445**, **1450**, and **1460** (Fig. 4, paragraph [0028]).

With respect to Claim **10**, the claimed “wherein supporting the user interaction comprises: receiving a user selection of one of the first plurality of video frames; and in response to the user selection, playing the video on the display device beginning at the selected video frame” is met by Boreczky et al. that teach a user being able to jump to a specific video position by selecting a video snapshot (paragraphs [0011], [0042], [0047], [0049]).

With respect to Claim **15**, the claimed “wherein the method further comprises receiving a user selection of an option concerning how the video is managed while the first navigation video strip is displayed” is met by Boreczky et al. that teach the video controls, **410**, such as pause/ play buttons, for the control of the current playback

position of video, **400**, while snap images **1440**, **1445**, **1450**, and **1460** are displayed (Fig. 4, paragraph [0028]).

With respect to Claim **16**, the claimed “wherein the option is selected from the group consisting of scaling the video, cropping the video, and alpha-blending the video with the first navigation video strip” is met in part by Boreczky et al. that teach the use of a video player in which a user has a number of functions to choose from regarding the playback of the video being played (Figs. 1-3, 4; paragraph [0028]). Boreczky et al. does not explicitly teach the claimed ‘scaling, cropping and/or alpha-blending’. However, the examiner takes official notice that such functions were notoriously well known in the art at the time of the invention. Therefore, it is submitted that it would have been clearly obvious to one of ordinary skill in the art at the time of the invention to use functions such as ‘scaling, cropping, and/or alpha-blending’ with the video being played and the ‘first navigation strip’.

With respect to Claim **17**, the claimed “wherein the option is selected from the group consisting of playing the video, pausing the video, and stopping the video” is met by Boreczky et al. that teach playback controls, **410**, such as a pause/play button (Fig. 4, paragraph [0028]).

Claim **18** is met as previously discussed with respect to Claims 1 & 2. In addition, Boreczky et al. teaches the use of a video, **320**, and a server, **300**, which inherently has a processor and memory (Fig. 3, 6, 8, 9)

Claim **19** is met as previously discussed with respect to Claim 4.

Claim **20** is met as previously discussed with respect to Claim 5.

Claim **21** is met as previously discussed with respect to Claim 1.

Claim **22** is met as previously discussed with respect to Claim 2.

Claim **23** is met as previously discussed with respect to Claim 3.

Claim **24** is met as previously discussed with respect to Claim 4.

Claim **25** is met as previously discussed with respect to Claim 5.

Claim **27** is met as previously discussed with respect to Claim 7.

Claim **29** is met as previously discussed with respect to Claim 9.

Claim **30** is met as previously discussed with respect to Claim 10.

Claim **35** is met as previously discussed with respect to Claim 15.

Claim **36** is met as previously discussed with respect to Claim 16.

Claim **37** is met as previously discussed with respect to Claim 17.

Claim **38** is met as previously discussed with respect to Claims 1 & 2. In addition, Boreczky et al. teaches the use of a video, **320**, and a server, **300**, which inherently has a processor and memory (Fig. 3, 6, 8, 9).

Claim **39** is met as previously discussed with respect to Claim 4.

Claim **40** is met as previously discussed with respect to Claim 5.

Claim **41** is met as previously discussed with respect to Claims 1,2.

Claim **42** is met as previously discussed with respect to Claim 4.

Claim **43** is met as previously discussed with respect to Claim 5.

Claim **47** is met as previously discussed with respect to Claim 15.

Claim **48** is met as previously discussed with respect to Claim 16.

Claim **49** is met as previously discussed with respect to Claim 17.

Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims **6 & 26** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Boreczky et al. (US PGPub 2002/0075572)** in view of **Amir et al. (US PG Pub 2002/0140719)**.

With respect to Claim **6**, the claimed "wherein the first instructions are formatted according to the Synchronized Multimedia Integration Language" is not explicitly taught by the Boreczky et al. reference. However, in a similar field of endeavor, the Amir et al. reference teaches a system in which 'Synchronized Multimedia Integration Language' is used in describing the layout of a presentation of streaming media on a screen (paragraph [0048]).

It would have been obvious to one skilled in the art at the time the invention was made to have combined the use of 'Synchronized Multimedia Integration Language' in the presentation of streaming media as taught by the Amir et al. reference with the system of selecting indexed snapshots for streaming media of the Boreczky et al. reference in order to provide an efficient manner in which to present the 'indexed

snapshots' for user selection. A person of ordinary skill in the art would have been motivated to make such a modification to the Boreczky et al. reference in order to permit a uniform procedure in the presentation of the video index.

Claim **26** is met as previously discussed with respect to Claim 6.

5. Claims **8 & 28** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Boreczky et al. (US PGPub 2002/0075572)** in view of **Radford et al. (US PG Pub 2002/0144276)**.

With respect to Claim **8**, the claimed "wherein the first plurality of video frames are retrieved from the server in accordance with the Real Time Streaming Protocol" is not explicitly taught by the Boreczky et al. reference. However, in the same field of endeavor, the Radford et al. reference teaches the use of Real Time Streaming Protocol in a streaming media network as a suitable file transfer protocol [paragraph 0026].

It would have been obvious to one skilled in the art at the time the invention was made to have combined the use of 'Real Time Streaming Protocol' as taught by the Radford et al. reference with the system of selecting indexed snapshots for streaming media of the Boreczky et al. reference in order to provide a suitable manner in which to transfer the indexed snapshots to a user. A person of ordinary skill in the art would have been motivated to make such a modification to the Boreczky et al. reference in order to allow a user to receive the video index.

Claim 28 is met as previously discussed with respect to Claim 8.

6. Claims 11-14, 31-34, & 44 - 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Boreczky et al. (US PGPub 2002/0075572)** in view of **Asami (US Pat 6,747,674)**.

With respect to Claim 11, the claimed "receiving a second user request to modify the first time interval to a second time interval; in response to the second user request, obtaining second instructions for displaying a second navigation video strip, wherein the amount of time separating adjacent video frames in the second navigation video strip is substantially equal to the second time interval; and displaying the second navigation video strip in accordance with the second instructions" is not explicitly taught by the Boreczky et al. reference. However, in the same field of endeavor, the Asami reference teaches a user being able to choose the time interval between still pictures of a video file, whereby a user inputs a specific time period and the system creates picture thumbnails of the selected video at the selected time intervals (Fig. 2-8;ol.1, lines 59-62; col.3, lines 62-64; and col. 5, lines 32-36).

It would have been obvious to one skilled in the art at the time the invention was made to have combined the ability to choose the time interval between still pictures of a video as taught by the Asami reference with the system of selecting indexed snapshots for streaming media of the Boreczky et al. reference in order to provide additional functionality to the user. A person of ordinary skill in the art would have been motivated to make such a modification to the Boreczky et al. reference in order to allow a user to

choose the time period between the video frames in the video index, thereby allowing a more general or a more specific video summary.

With respect to Claim **12**, the claimed “wherein the method further comprises receiving user input about the number of video frames that are included in the first navigation video strip” is met by Asami that teaches user being able to select the number of picture thumbnails related to a video file being searched (Fig. 2-8; col.1, lines 59-62; col.3, lines 54-60 and col. 6, lines 34-36).

With respect to Claim **13**, the claimed “wherein the method further comprises receiving user input about the number of video frames in the first navigation strip that are displayed on the display device” is met by Asami that teaches the use of a CRT, **18**, in displaying a user selectable amount of picture thumbnails related to a video file (Fig.1-8; col.3, lines 54-60 & col. 6, lines 34-36).

With respect to Claim **14**, the claimed “wherein the method further comprises receiving user input about a location where the first navigation strip is displayed” is met by Asami et al. that teaches that the user can display a number of picture thumbnails or a scrolling index of them on a CRT, **18** (col. 3, lines 54-64).

Claim **31** is met as previously discussed with respect to Claim 11.

Claim **32** is met as previously discussed with respect to Claim 12.

Claim **33** is met as previously discussed with respect to Claim 13.

Claim **34** is met as previously discussed with respect to Claim 14

Claim **44** is met as previously discussed with respect to Claim 12.

Claim **45** is met as previously discussed with respect to Claim 13.

Claim **46** is met as previously discussed with respect to Claim 14.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Drucker et al. (US Patent 7,251,790) teach media browsing via the use of thumbnail images, whereby the number of these images can be user selected & the selection of a thumbnail leads to playback from that point forward.

Yeo (US Patent 6,711,741) teaches the use of 'snapshots' in indexing a video source from a server. Also teaches different configurations of the snapshot index, location, and functionality of the media player playing the video.

Ceccarelli (US Patent 6,222,532) teaches the use of 'keyframes' in the navigation of a video file.

Barde et al. (US Patent Application Publication US 2004/0268400) teach the use of 'Real Time Streaming Protocol' as a communication protocol between a client device and a content server.

Demers et al. (US Patent Application Publication US 2004/0068536) teach the use of 'Synchronized Multimedia Integration Language' for allowing the layout and synchronization of multiple data streams.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Jorge Mendoza Jr.** whose telephone number is (571) 270-5087. The examiner can normally be reached on Monday through Friday 7:30 am – 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Dennis Chow** can be reached at (571) 272-7767. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 8660217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jorge Mendoza Jr./

Examiner, Art Unit 4126

/J. M.J./

/Lun-Yi Lao/

Primary Examiner, Art Unit 2629

